

REMARKS/ARGUMENTS

The Office Action mailed April 2, 2004 has been carefully reviewed. Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested. The claims presented for examination are: claims 1-30.

35 USC 112 Rejection

In numbered paragraph 1 of the Office Action mailed April 2, 2004, claims 2 and 8-9 were rejected under 35 USC 112, second paragraph, as indefinite because of insufficient antecedent basis for terms in the body of the claims. The term has been eliminated by the amendments to claims 2 and 8-9.

35 USC 102 Rejection

In numbered paragraph 2 of the Office Action mailed April 2, 2004, claims 1, 7-8, 11-12, 14, 16, 18, 22-23, and 29 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by the Finapps reference (Oracle® Applications, Concepts, Release 11 for Unix., April 1998, Oracle Corporation).

Applicant has amended claims 1, 7-8, 11-12, 14, 16, 18, and 22-23 presented for examination; therefore claims 1, 7-8, 11-12, 14, 16, 18, and 22-23 are now presented in amended form. Claim 29 has been cancelled. Since claims 1, 7-8, 11-12, 14, 16, 18, and 22-23 now appear in amended form the 35 USC §102 rejection in the Office Action mailed April 2, 2004 no longer applies.

Applicant believes the invention claimed in claims 1, 7-8, 11-12, 14, 16, 18, and 22-23 is not anticipated by the Finapps reference. The standard for a 35 USC §102 rejection is stated in Verdegaal Bros. v. Union Oil Co of California, 814 F.2d 628, 631 USPQ 1051, 1053 (Fed. Cir. 1987), "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or

inherently described in a single prior art reference.” Applicant points out that the following elements of amended claims 1, 7-8, 11-12, 14, 16, 18, and 22-23 are not found in the Finapps reference:

“a network with
a product data management module (means) coupled to said network;
a knowledge management module (means) coupled to said network, said knowledge management module including a central repository database;
a requisition application system (means) coupled to said network;
a job specification that is created in said product management module (means);
vendor information that is created in said central repository database of said knowledge management module (means); and
engineering records that are created in said central repository database of said knowledge management module (means).”
(Claims 1 and 16)

“wherein said requisition application system includes an online requisition system.” (Claims 7 and 23)

“including a website coupled to said network and wherein said job specification is posted on said website.” (Claims 8 and 22)

“wherein said central repository database includes an application programming interface API which controls access to said engineering records.” (Claim 11)

“wherein said requisition application system includes online ordering information.” (Claim 12)

“wherein said central repository database includes a central repository database management program that is a collaborative environment software program.” (Claim 14)

Since the elements described above are not found in the Finapps reference, the Finapps reference would not support a 35 USC §102 rejection.

35 USC 103 Rejection

In numbered paragraph 3 of the Office Action mailed April 2, 2004, claims 2-6, 9-10, 13, 17, 19, 21, 24, 26-28, and 30 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over the Finapps reference (Oracle® Applications, Concepts, Release 11 for Unix., April 1998, Oracle Corporation) in view of the Finadm reference (Oracle® Applications, System Administrator's Guide, Release 11 for Unix., March 1998, Oracle Corporation).

Applicant has amended independent claims 1 and 16 presented for examination; therefore claims 2-6, 9-10, 13, 17, 19, 21, and 24 are now presented in amended form. Claims 26-28 and 30 have been cancelled. Since claims 2-6, 9-10, 13, 17, 19, 21, and 24 now appear in amended form the 35 USC §103(a) rejection in the Office Action mailed April 2, 2004 no longer applies.

Applicants believe that amended claims 2-6, 9-10, 13, 17, 19, 21, and 24 are patentable and that the Finapps and Finadm references would not support a 35 USC §103(a) rejection. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966) that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) include "Ascertaining the differences between the prior art and the claims at issue."

The differences between the primary Finapps reference and Applicants' invention defined by amended claims 2-6, 9-10, 13, 17, 19, 21, and 24 includes the fact that the following elements of amended claims 2-6, 9-10, 13, 17, 19, 21, and 24 are not found in the primary Finapps reference:

- "a network with
- a product data management module (means) coupled to said network;
- a knowledge management module (means) coupled to said network, said knowledge management module including a central repository database;

a requisition application system (means) coupled to said network;
a job specification that is created in said product management module (means);
vendor information that is created in said central repository database of said knowledge management module (means); and
engineering records that are created in said central repository database of said knowledge management module (means).”
(Claims 1 and 16)

“wherein said network is a global network.” (Claims 2 and 17)

“wherein said network is a local network.” (Claim 3)

“wherein said network is a local network comprising a local area network or a token-ring network or an Ethernet network.”
(Claim 4)

“wherein said knowledge management module includes an engineering records center.” (Claim 5)

“wherein said knowledge management module includes a vendor authorization center.” (Claim 6)

“including a website coupled to said network and wherein said vendor information is posted on said website.” (Claims 9 and 19)

“including a website coupled to said network and wherein said job specification and said vendor information are posted on said website.” (Claim 10)

The Finadm reference also fails to show the elements of the claims identified above. Since both references fail to show the elements, there can be no combination of the two references that would show Applicant’s invention defined by amended claims 2-6, 9-10, 13, 17, 19, 21, and 24 and render it unpatentable. There is no combination of the Finapps reference and the Finadm reference that would produce the combination of elements of Applicants’ amended claims 2-6, 9-10, 13, 17, 19, 21, and 24. Further, there is no teaching of

combining the Finapps reference and the Finadm reference to meet Applicants' amended claims 2-6, 9-10, 13, 17, 19, 21, and 24. Thus, the combination of references fails to support a rejection of the claims under 35 USC 103(a), and the rejection should be withdrawn.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments and the foregoing remarks, the rejections of the claims raised in the Office Action dated April 2, 2004 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,



Eddie E. Scott
Attorney for Applicant
Registration No. 25,220
Tel. No. (925) 424-6897

Livermore, California

Dated: July 1, 2004